



## COMMUNITY DEVELOPMENT DEPARTMENT PLANNING DIVISION

### NONCONFORMING RIGHTS

The provisions for Nonconformities regulate the continuation, termination, and modification of lots, structures, or uses that were lawfully established, but which no longer conform to the provisions of the Zoning Code.

#### *Nonconforming Lots*

Any lawfully created lot that becomes nonconforming with regard to lot area, street frontage, lot width, lot depth, or accessibility may continue indefinitely with such nonconformity and may be developed and used as if it were a conforming lot. However, any property proposed for development with multi-family dwellings shall be fully conforming as to lot area and lot width.

#### *Nonconforming Structures and Uses*

No nonconforming structure shall be altered, reconstructed, or expanded to increase the degree of nonconformity with respect to development standards for, including but not limited to, the setbacks, height of structures, distances between structures, and the parking facilities as prescribed in the regulations for the zone in which the structure is located, unless a variance is granted pursuant to Title 19 (Zoning) of the Riverside Municipal Code.

The structure or use must have been legally established prior to 1956 or the date of annexation (when the property was added to the City of Riverside). The building must have been used or the use must have been in operation continuously since the above date with no lapses of 180 days or more. If a non-residential structure is destroyed to the extent of more than 50% of the value, the nonconforming use may not be replaced. If a residential structure is destroyed to the extent of more than 50% of the value, it may be rebuilt in its entirety subject to the approval of a minor conditional use permit. It is the responsibility of the applicant to prove the lawful establishment of the uses or structures.

Expansion or modifications to nonconforming residential and non-residential uses is subject to the granting of a minor conditional use permit.

A change in ownership or tenancy without any change in use, occupancy, or development shall not affect any of the legal nonconforming rights, privileges, and responsibilities provided under this article. It shall be the property owner's responsibility to provide evidence or information to justify the establishment of nonconforming rights.

#### **APPLICATION PROCESSING**

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For more specific information related to the modification, expansion, or continuation of a

# NONCONFORMING RIGHTS

nonconforming lot, structure, or use, please refer to Article III of the Zoning Code, Chapter 19.080 – Nonconformities.

## PLANNING FEES

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See current Fee Schedule (*FILING FEES ARE GENERALLY NOT REFUNDABLE*)

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## REQUIRED ITEMS FOR FILING

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Plans must be legible and drawn to scale to clearly illustrate the components of the project. Remember that Staff, the Zoning Administrator, the Planning Commission, or City Council are not familiar with the property and need this information to evaluate your project. If the plans are not legible, or do not contain the information listed below, your application will not be accepted for processing.

Drawing Assembly: Staple blueprints in sets along the left margin, plot plan on top and elevations below. Plans must be folded to approximately 8 ½" x 14" so the bottom right corner shows. We cannot accept drawings or materials that are not folded down to approximately 8 ½" x 14".

Submittal of the following items shall be required for the application to be deemed complete:

- ☐ **One (1) copy of the completed General Application form.**
- ☐ **One (1) copy of the most recent Grant Deed**  
A complete and accurate legal description of each parcel involved. (A deed can be obtained from a Title Company).
- ☐ **One (1) copy of a complete written description of your proposal** outlining the existing situation and the history of the lot, structure, or use.
- ☐ **One (1) copy of the County Appraiser's documentation** (residential building record, for example) indicating how the property was appraised prior to and since 1956
- ☐ **One (1) copy of an inspection report from the City of Riverside Building Division**
- ☐ **Two (2) copies of a plot plan** including the following:
  - a. A north arrow and scale (preferable scales are 1" = 10 feet or ¼" = 1 foot or other appropriate scale).
  - b. The boundaries of the property, with all dimensions, and square footage of the lot.
  - c. The location and dimensions of all existing and proposed buildings, structures.
  - d. Parking lot layout and circulation showing dimensions of parking spaces and driving isles, if applicable.
  - e. Walls, fences, walkways and off-street parking areas or garages, and their measurements from all property lines. Proposed construction shall be distinguished from existing improvements.

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- f. Dimensioned setbacks.
- g. Dimensioned Property Lines.
- h. Widths to centerline of existing streets, highways, alleys and other public right-of-way. *Please check with the Public Works Department to determine if additional right-of-way will be required for your project.*
- i. Easement locations (if any).
- j. Location of trash enclosures.
- k. Adjacent streets and street names.
- l. Sidewalks.
- m. Names, addresses and phone numbers of architect or designer, engineer, applicant and legal owner.
- n. Any other drawings, photographs or information that may be requested or that the applicant may wish to submit in support of this case.
- o. Any proposed signs require a separate Design Review application.
- p. Identification of all blue line streams and/or major arroyos, including precise definition of the 100-year flood zone and setback should be included on the plans, if applicable. *Note: Should the site include a blue line stream or involve any other issue that requires State agency review. State law requires a 30-day review period for the Initial Study and may require that the case be heard at a later hearing date to accommodate the review.*
- q. Grading information as described under the grading section of this handout and in the "Planning Commission Environmental Review of Grading Plans" handout, if applicable.

### ☐ **Two (2) copies of Floor Plan**

Indicate all structures, square footage, dimensions and uses of all rooms, locations of windows, doors or other openings, or mechanical equipment, disabled access, restrooms, and square footage of indoor play area.

### ☐ **Additional Materials and Documentation**

Provide copies of all documentation that might provide additional information related to your request, including, but not limited to:

- a. Old business tax receipts
- b. Photographs
- c. Income tax records
- d. Telephone directories or ads and their dates (copies available from the main library)
- e. Copies of Criss-Cross directories
- f. Utility Bills or hoop-up verification

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[www.riversideca.gov/planning](http://www.riversideca.gov/planning)